
HOUSE BILL 2353

State of Washington

63rd Legislature

2014 Regular Session

By Representatives Rodne and Haler

Read first time 01/16/14. Referred to Committee on Judiciary.

1 AN ACT Relating to actions for trespass upon a business owner's
2 premises; adding a new section to chapter 4.24 RCW; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.24 RCW
6 to read as follows:

7 (1) A business owner has a cause of action for trespass against any
8 person who enters or remains unlawfully upon the business owner's
9 premises.

10 (2) In any action under subsection (1) of this section, a business
11 owner may recover actual damages or elect to recover, without proof of
12 special damages, the amount of twenty-five hundred dollars as
13 liquidated damages.

14 (3) If a business owner prevails in an action under subsection (1)
15 of this section, the business owner is entitled to recover reasonable
16 attorneys' fees and legal expenses. Such expenses are not confined to
17 the costs allowed under RCW 4.84.010.

18 (4) If a person alleged to have trespassed on a business owner's

1 premises prevails in an action under subsection (1) of this section, he
2 or she may recover attorneys' fees only if the action is frivolous
3 within the meaning of RCW 4.84.185.

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